

In the claims:

Please amend the claims as follows:

1. (Currently Amended) A shoe comprising:

an outsole having an upper surface, an opposite lower surface, and a heel section, the upper surface being positioned relatively closer to a wearer's foot and the lower surface being positioned to engage upon a floor or ground surface when the shoe is worn during walking, the outsole further defining an aperture in the heel section extending from the upper surface to the opposite lower surface; and

a resilient, deformable first cushion disposed in said aperture, with a an upper cushion surface of said first cushion disposed at a region of the upper surface of the outsole in the heel section and a lower cushion surface of said first cushion ~~disposed~~ exposed at a region of the lower surface of the outsole in the heel section,

said first cushion being adapted to deform and flow toward the floor or ground surface under the wearer's weight and force of heel strike, and

the ~~lower surface~~ outsole further comprising a recess wall surface extending generally upwards from the lower surface toward the upper surface and defining a recessed region in communication, at its upper reaches, with disposed around the said aperture, the recessed region serving to position said lower cushion surface of said first cushion, exposed at the aperture within said recessed region, being spaced by said recessed wall surface of said outsole above the floor or ground surface at all times, including when said first cushion deforms and flows under the wearer's weight and force of heel strike.

2. (Previously Amended) The shoe according to claim 1 wherein the outsole comprises rubber.

3. (Previously Amended) The shoe according to claim 1 wherein the outsole comprises a thermoplastic resin.

4. (Previously Amended) The shoe according to claim 1 wherein the outsole is formed by molding.

5. (Previously Amended) The shoe according to claim 1 wherein the lower surface of the outsole has at least one groove formed therein to enhance the flexibility of the outsole.

6. (Previously Amended) The shoe according to claim 5 wherein the outsole has a width, and at least one of said at least one groove substantially traverses the width of the outsole.

7. (Previously Amended) The shoe according to claim 5 wherein the outsole has a perimeter, and at least one of said at least one groove has a closed-loop shape substantially parallel to the perimeter of the outsole.

8. (Previously Amended) The shoe according to claim 5 wherein the at least one groove has a substantially semi-circular shape.

9. (Previously Amended) The shoe according to claim 1 wherein the lower surface of the outsole has a grid pattern formed therein to enhance the flexibility of the outsole.

10. (Previously Amended) The shoe according to claim 1 or claim 9, wherein the upper surface of the outsole has a grid pattern formed therein to enhance the flexibility of the outsole.

11. (Currently Amended) The shoe according to claim 1 wherein the first cushion includes a protrusion that protrudes through the aperture ~~at the region of said opposite lower surface of the outsole.~~

12. (Previously Amended) The shoe according to claim 1 wherein the first cushion comprises a polymeric gelatinous material.

13. (Previously Amended) The shoe according to claim 1 or claim 12, wherein the first cushion further comprises a flexible, resilient sheet.

14. (Previously Amended) The shoe according to claim 13 wherein the sheet comprises polyurethane.

15. (Currently Amended) The shoe according to claim 1 wherein the upper surface of the outsole ~~includes~~ defines a recessed area for receiving the first cushion.

16. (Cancelled)

17. (Previously Amended) The shoe according to claim 1 wherein the outsole defines a plurality of apertures.

18. (Previously Amended) The shoe according to claim 1 wherein the outsole further comprises a sidewall along the heel section of the outsole, the sidewall including a cut-out portion.

19. (Previously Amended) The shoe according to claim 18 wherein the cut-out portion is a slot.

20. (Previously Amended) The shoe according to claim 18 further comprising a second cushion disposed in the outsole adjacent to the cut-out portion.

21. (Previously Amended) The shoe according to claim 20 wherein the second cushion deforms and flows outwardly at the cut-out portion during heel strike.

22. (Currently Amended) A shoe comprising:

an outsole having an upper surface, a lower surface, a heel section, and a sidewall along the heel section, the outsole further defining an aperture in the heel section extending from the upper surface to the lower surface and a cut-out portion in the sidewall;

a resilient, deformable first cushion disposed in said aperture, with a upper cushion surface of said first cushion disposed at a region of the upper surface of the outsole in the heel section and a lower cushion surface of said first cushion ~~disposed~~ exposed at a region of the lower surface of the outsole in the heel section; and

a resilient, deformable second cushion disposed on the upper surface of the outsole in the heel section,

said first cushion being adapted to deform and flow toward the floor or ground surface under the wearer's weight and force of heel strike, and said second cushion being shaped to deform outwardly at the cut-out portion; and

C the [lower surface] outsole further comprising a recess wall surface extending generally upwards from the lower surface toward the upper surface and defining a recessed region in communication, at its upper reaches, with ~~disposed around the said~~ aperture, the ~~recessed region serving to position~~ said lower cushion surface of said first cushion, exposed at the aperture within said recessed region, being spaced by said recessed wall surface of said outsole above the floor or ground surface at all times, including when said first cushion deforms and flows under the wearer's weight and force of heel strike.

23. (Previously Amended) The shoe outsole according to claim 22 wherein the first cushion includes a protrusion that protrudes at the aperture.

24. (Cancelled)

25. (Cancelled)

26. (Currently Amended) A shoe comprising:

an outsole having an upper surface, an opposite lower surface, and a heel section, the upper surface being positioned relatively closer to a wearer's foot and the lower surface being

positioned to engage upon a floor or ground surface when the shoe is worn during walking, the outsole further defining an aperture in the heel section extending from the upper surface to the opposite lower surface; and

a resilient, deformable first cushion disposed in said aperture, with a upper cushion surface of said first cushion disposed at a region of the upper surface of the outsole in the heel section and a lower cushion surface of said first cushion ~~disposed~~ exposed at a region of the lower surface of the outsole in the heel section, the first cushion comprising a polymeric, gelatinous material;

said first cushion being adapted to deform and flow toward the floor or ground surface under the wearer's weight and force of heel strike;

the upper surface including a recessed region disposed around the aperture, for receiving the first cushion; and

the ~~opposite lower surface~~ outsole further comprising a recess wall surface extending generally upwards from the lower surface toward the upper surface and defining a recessed region in communication, at its upper reaches, with ~~disposed around the said~~ aperture, the ~~recessed region serving to position~~ said lower cushion surface of said first cushion, exposed at the aperture within said recessed region, being spaced by said recessed wall surface of said outsole above the floor or ground surface at all times, including when said first cushion deforms and flows under the wearer's weight and force of heel strike..

27. (Previously Added) The shoe according to claim 26 wherein the outsole further comprises a sidewall along the heel section of the outsole, the sidewall including a cut-out portion.

28. (Previously Added) The shoe according to claim 27 further comprising a second cushion disposed in the outsole adjacent to the cut-out portion.

29. (Previously Added) The shoe according to claim 28 wherein the second cushion deforms and flows outwardly at the cut-out portion during heel strike.

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